

REMARKS

Claims 1-32 were originally filed in this continuation prosecution application. In a preliminary amendment, claim 1-32 were cancelled, and claims 33-68 were added. In response to the current final Office action, in which claims 40-45 and 54-62 were allowed, claims 33, 35, 36, 39, 46, and 63 have been amended. Accordingly, claims 33-68 are pending, with claims 40-45 and 54-62 allowed, and claims 33-39, 46-53, and 63-68 being at issue.

With respect to the rejection of claims 33-45 under 35 U.S.C. § 112 for being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention, Applicants have amended claims 33, 35, 36, and 39 to more clearly define the subject matter which applicant regards as the invention.

More specifically, claim 33 has been amended to clearly define to which "top" the phrase "the top" in line 11 refers to, and the phrase "the bottom edge" has been amended to read "a bottom edge" to remove the antecedent bases problem. Additionally, claims 35 and 36 have been amended to more clearly relate the phrases "the linearly arranged film-to-film seals," and "T-shaped opening" in claims 35 and 36, respectively. Lastly, in claim 39 the phrase "the spaced-apart bottom edge supporting film-to-film seals" has been amended to read "a spaced-apart bottom edge supporting film-to-film seals" to remove the antecedent bases problem

Now turning to the rejection of claims 46-50 and 63-66 under 35 U.S.C. § 103 as obvious over U.S. Patent No. 6,511,245 ("Tan") in view of U.S. Patent No. 4,965,948

("Ruebens"). Applicants respectfully traverse the rejection of claims 46 and 63 as obvious, as the combination of *Tan* and *Ruebens* fails to establish a *prima facie* case of obviousness.¹

Claims 46 and 63, as well as the claims dependent therefrom, as amended recite "the center sheet including a portion beneath the thermoplastic film having a contrasting underlying pattern to the memo area." None of the cited references discloses such elements.

More specifically, *Tan* discloses photo album page that may be constructed from various material, but *Tan* does not teach or suggest that the various components of the photo album page could have contrasting patterns. Similarly, *Ruebens* discloses a bi-directional album having a memo area that includes lines and other indicia, such as the word "memo" added thereon. *Ruebens*, however, does not teach or suggest that the various components of the memo area and the remainder of the page, and/or that the various components of the photo album page could have contrasting patterns.

As such, the combination of *Tan* and *Ruebens* does not disclose all of the elements recited in claims 46 and 63. Accordingly, the § 103 rejection of claims 46 and 63 and the claims dependent thereon should be withdrawn.

Applicants have noted that the examiner has deemed claims 33-39 allowable if rewritten to overcome the rejections under § 112, which Applicants have done.

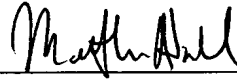
¹ To establish a *prima facie* case of obviousness, three basic criteria must be met, one of which requires that the prior art reference (or references when combined) must teach or suggest all the claim limitations. See, MPEP§ 2143.

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In light of the foregoing, the prompt issuance of a notice of allowance is respectfully solicited. Should the examiner have any questions, he is respectfully invited to telephone the undersigned.

Respectfully submitted,

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